

NEWINGTON TOWN PLAN AND ZONING COMMISSION

Public Hearing and Regular Meeting

January 8, 2014

Chairman Cathleen Hall called the regular meeting of the Newington Town Plan and Zoning Commission to order at 7:00 p.m. in Conference Room L101 in Newington Town Hall, 131 Cedar Street, Newington, Connecticut.

I. ROLL CALL AND SEATING OF ALTERNATES

Commissioners Present

Commissioner Frank Aieta
Commissioner Carol Anest
Commissioner Michael Camillo
Chairman Cathleen Hall
Commissioner Kenneth Leggo
Commissioner Robert Serra Sr.
Commissioner Stanley Sobieski

Commissioners Absent

Staff Present

Craig Minor, Town Planner

II. APPROVAL OF AGENDA

Delete: **VII. NEW BUSINESS**

Bond Reduction for 1268 Main Street (Liberty Bank)

Craig Minor: I recommend that you delete Item Seven D, bond reduction for 1268 Main Street. It's not ready for a reduction.

Commissioner Aieta moved to accept the agenda as presented. The motion was seconded by Commissioner Sobieski. The vote was unanimously in favor of the motion, with six voting YES.

III. PUBLIC HEARINGS

A. Petition 47-13: Zoning Text Amendment (New Section 6.15 Medical Marijuana); Town Plan and Zoning Commission, applicant. Continued from December 11, 2013.

Craig Minor: At the last meeting the Commission asked me to have a map prepared showing what the zones would look like if the buffer was reduced, well, kept at the thousand feet recommended now, or reduced to five hundred and I know you are used to GIS but I needed to work at this quickly, so I did the old fashioned way. Now what the cross hatched area represents are the areas that are Industrial Zone that are at least a thousand feet away from a residential zone. The stippled areas represent industrial zoned land that is only five hundred feet away from a residential zone, so it does expand the area of town slightly, if you reduced the buffer, if that is not too many negatives in one sentence, but if you notice, it

tends to open up only areas that are farther away from roads and so forth, so I'm not sure it would really expand the usable area that much, but it would certainly open up more of the North Mountain Road area, and open up a little bit of Fenn Road area, but not terribly dramatically, I don't think.

Chairman Hall: Commissioners, any questions on that?

Commissioner Anest: Craig, we had asked, when talking about the minimum building size, and because we don't have the minutes, I can't remember if we had asked you to look into letting us know what buildings, if any, if would allow that, either building a new building or existing buildings.

Craig Minor: I don't remember that being discussed, but I can certainly find out. I can do a search of the Assessor's data to show existing buildings. I can do that. Existing buildings that are what, 25,000 square feet, okay.

Chairman Hall: Or more.

Craig Minor: Right.

Commissioner Leggo: Further discussion was that it would be a thousand feet, five hundred feet and one hundred feet going down that far.

Craig Minor: That was one of the things that was mentioned, but I wasn't sure if that is what the Commission really asked for, but if you look at the map there, well, if this scale, this is five hundred feet, so one hundred feet would be a fifth of that, which would pretty much open up all of the Industrial Zone. If we had only a hundred foot buffer, that really wouldn't be very much. I can produce a map of that for next meeting also, but a hundred foot buffer would not be maybe very effective.

Commissioner Sobieski: Craig, this is just for the growing, not for the distribution, am I correct?

Craig Minor: No, well, growing, I'm sorry, my understanding was that the Commission wanted the same set of rules, but if you don't, if you want less stringent rules for distribution, I'm sorry, less stringent rules for production, for growing, then let's say for the sake of discussion, you wanted to keep a thousand foot buffer for distribution, but only one hundred for growing, then I could have the GIS department produce a map showing those two different concentric circles. I can do that.

Commissioner Aieta: I'd like to remind the Commission of the master plan of development, that part of that plan of development is that we take into consideration the residential, the big push was that we protect the residential areas in town. Going down to a hundred feet, unless you have a specific building or specific something that you are trying to do is way too small of a buffer, because we have buffers just, I mean, from a speaker to a residence zone on the drive-through, we have three hundred feet. I think a hundred feet, then you have basically no buffer at all, talking about any where in the Industrial zone.

Chairman Hall: All right, let's get these GIS maps, and then we can actually see it, and then I think we can have a more detailed discussion at that point. Anybody have any more discussions on this, or any other comments that they want to make on this? Everybody is good? I don't think we are ready to close this, we have more questions. Now, do we have anybody here who would like to speak in favor of the medical marijuana amendment to our

zoning? Any one wishing to speak in favor of, anyone who wishes to speak in opposition, anyone who just wants to speak, just make a comment, neither pro or con, just give us some kind of input. Come on up to the chair, give you name and address for the record please?

Jeff Gaudet, 135 Pheasant Run, Newington: My question is, this is all new to the state, and to the town obviously, and it's fairly controversial as far as I'm concerned, what are we actually getting out of this? Is it just revenue? If we allow this dispensary and the production facility, are we just trying to develop property? Trying to get revenue out of this, why are we even looking at this is my question?

Chairman Hall: Because it is coming down from the State, our position was to put into place, if we can, before anything takes place on the outside, we would like to see what our town would be interested in doing, if someone were to come with a petition to either put a distribution center or a production facility. Right now we have nothing, there is nothing in our regulations that deals with it, so we are trying to be pro-active and taking some kind of a stand before a petition actually comes before us.

Jeff Gaudet: Okay, we there is not an applicant right now that you are working with, or.....

Commissioner Aieta: There was at one point, there was an applicant that came in, and that is what precipitated us to start looking at the medical marijuana regulations, because we didn't have any.

Chairman Hall: There is nothing on the table at this time, that's why we are trying to get our regulations set so that we have some guidance if we do get a petition.

Jeff Gaudet: All right. Thank you.

Chairman Hall: Anyone else from the public who might just want to make a comment? Seeing none, anything else from the Commissioners?

Commissioner Leggo: The other thing we talked about was the hours and I know that in the minutes, it's mentioned in the minutes that I got electronically, but in the paper that is put out there, in our packet, there is nothing mentioned on the hours of operation.

Craig Minor: Right, I didn't make any changes to the text. I was asked not to change the text yet until all of the input has come in and then we will make changes to the text as the Commission wants.

Chairman Hall: Right, it's still a work in progress.

Commissioner Leggo: Okay.

Chairman Hall: Any other comments? Seeing none, what is your pleasure? Keep it open. The consensus is that we will keep this petition open.

B. Petition 60-13: Special Exception (Section 6.13) Accessory Apartment) at 18 Homecrest Street, Miguel Braga, owner/applicant, Attorney Jessica Dornelas, 350 Silas Deane Highway, Wethersfield, CT, contact. Continued from November 26, 2013.

Chairman Hall: Is the applicant present?

Attorney Dornelas: Yes, the applicant is present and I'm attorney Dornelas.

Chairman Hall: Attorney, are you going to be speaking for the petitioner?

Attorney Dornelas: Yes.

Chairman Hall: Please come forward, give your name and address for the record.

Attorney Dornelas: Good evening, I'm Attorney Jessica Dornelas, 315 Silas Deane Highway in Wethersfield. I represent Mr. Miguel Braga of 18 Homecrest Street in Newington. He is here today along with his sister who wishes to live in an accessory apartment in Mr. Braga's home. If you have any questions, they are available. Just by the way of background, Mr. Braga purchased the property in June, 2013 and it had been abandoned for about a year, and since he has purchased it he has improved the property and improved the overall welfare of the neighborhood. In September of this year, he received a cease and desist order from the Town of Newington, alleging that he was constructing an apartment in a R-12 single family zone without Planning and Zoning approval. When we received the order, we started working with the Zoning Enforcement Officer, Art Hanke and the Town Planner, to try to rectify the issue and that's why we are here today.

If you look in your packet, I believe this complies with the requirements of the Town Zoning Regulations. The in-law apartment is going to be at the ground level of the property. If you look on the outside street, you are not going to notice that there is an accessory apartment. It's not going to change the parking situation, it's not going to change the exterior, so everything is going to be maintained, the architecture as a single family residence. The apartment is going to have one bedroom and its own bath and kitchen which are part of 6.13 and it complies with the square footage since it is more than five hundred square feet and thirty percent of the gross livable floor area of the property. The only thing that, if you look at the lower level, the plan that shows the kitchen, the bedroom and the bathroom, what they are planning for the area, you will notice that there is a dotted line there, for a wall and a doorway. At first when Mr. Braga did the plans there was no wall there, his intent was to have the whole family access the lower level. Obviously when we were working with the Town Planner and the Zoning Enforcement Officer, they suggested that to make it as an apartment it would have its own entrance and access way, that we would have to put the wall there, so if it's an approved apartment then we would, hopefully we would put that wall up. We weren't going to do construction without approval. They did confirm with the Newington Building Department the width of the wall if we did put it up. It has to be at least three feet. Do you have questions?

Chairman Hall: Any questions from the Commissioners? I have one. If you look at the photographs, the last page of photographs, there is a doorway and a picture window. On the sketch, I don't see where that doorway comes in. I'm assuming that and the picture window will remain in the living room.

Attorney Dornelas: Yes.

Chairman Hall: Okay. That is what is going to be considered the entrance and exit for that accessory apartment.

Attorney Dornelas: Correct.

Chairman Hall: And there is access from the stairs from the upstairs down that would enter into the living room?

Attorney Dornelas: Yes. So there is a laundry room, a living room, a boiler room and they would all be common space.

Commissioner Aieta: Just so I understand, the apartment itself is the area that is within the dark outline? This living room, what is that?

Chairman Hall: Common area, like a family room.

Commissioner Aieta: Living room for both the apartment and upstairs?

Chairman Hall: Yes, common family room.

Commissioner Sobieski: There is an office and storage room here, what's that for? Is that just for the apartment or is it going to be, is there a business being run out of this?

Attorney Dornelas: No, there is no business being run, because the bedroom is over here, it kind of was awkward if you put a wall, to have it open, so the family gets to be on this side. There's no business being run.....

Commissioner Sobieski: So what would be in the area called office, just open space?

Attorney Dornelas: Yeah, they can leave, what you would leave in a basement storage, and the office could be a TV room, and a space for her, another space for the sister to have a spot.

Craig Minor: Right, but the family living upstairs wouldn't have access to the room that is identified as office or storage room would they?

Attorney Dornelas: No.

Craig Minor: Okay, good, thank you.

Commissioner Aieta: The area that is outlined with the dark black line, that square footage is less than thirty percent of the total?

Craig Minor: Yes.

Attorney Dornelas: It's about half of the lower level, I think about six hundred.

Chairman Hall: Any other questions? Thank you. Since this is a public hearing, is there anyone from the public wishing to speak in favor of this petition? Is there anyone wishing to speak against it? Is there anyone wishing just to speak, make a comment? Seeing none, now I assume that the neighbors were all notified?

Craig Minor: Yes.

Chairman Hall: Now how about the ones on Broadview, in back?

Craig Minor: Okay, a notice was sent to the resident at 12 Homecrest, 42 Broadview, 9 Homecrest, 15 Homecrest, 21 Homecrest, 112 Old Maids Lane, and 42 Broadview. Went to Broadview twice. Slightly different names, but we get this from the Assessor's record, so that is who we went it to.

Chairman Hall: Okay fine. Any other comments from the Commissioners? What is your pleasure on this?

Commissioner Anest: If there are no further comments I think we should close it and move it to Old Business.

Chairman Hall: There doesn't seem to be any other comments or public participation at all, so is it the pleasure of the Commission to close this, and move it to Old Business for the next, and that's January 22nd, so we will bring this up on January 22nd for a vote.

IV. **PUBLIC PARTICIPATION** (for items not listed on the Agenda, speakers limited to 2 minutes.)

None

V. **REMARKS BY COMMISSIONERS**

None

VI. **MINUTES**

December 11, 2013

Chairman Hall: We have December 11, 2013, all we got was the special, we got November 26th, but we got the special meeting for December 11th.

Craig Minor: Oh really?

Chairman Hall: Yes. I think they were sent to us on our e-mails.....

Craig Minor: And maybe you got November 26th by mistake.

Chairman Hall: I looked to see if maybe it had the wrong date on it, but it didn't. This definitely was the 26th, so in the packet we got the 26th.....

Craig Minor: And just the special December 11th?

Chairman Hall: Right, just the special.

Craig Minor: Sorry about that.

Chairman Hall: Do we want to get those next month before we deal with it, just to make sure we have it in hand, because not everybody I know accesses it.

Commissioner Leggo: Can we get a correction on the location of those two meetings too in the minutes. It has us being upstairs, and we were down here.

Craig Minor: Okay, I'm sorry, start from the beginning.

Commissioner Leggo: December 11th, both the special meeting and the regular one that we got electronically has us meeting upstairs instead of down here.

Craig Minor: Oh, we were back here for that, okay, well, it would be simplest when you sit to approve those minutes to mention that one of the changes would be to correct the location rather than actually reissuing those minutes, so just remember to mention that.

Chairman Hall: Okay, so we will get those and then we will amend it. And shall we deal with them both at the same time, we might as well, instead of doing the special tonight. So we will put that off until the 22nd.

VII. NEW BUSINESS

A. Petition 01-14: Section 8-24 Referral from Town Council on Proposed DOT Easement for Traffic Signal on East Cedar Street.

Craig Minor: This is a pretty straight forward situation. The state needs to install a span pole, because they are getting away from the old style of traffic lights. In any event, they need to get our permission to put a span pole on Town of Newington property and under Connecticut law, before the Town Council either sell or acquire it, or lease land, including granting of an easement, it has to come before the town Plan and Zoning Commission for a recommendation. This is, if it's favorably received tonight, it will be on the Town Council's agenda for January 14th.

Chairman Hall: Does anyone have, does everyone understand that map, I had kind of a hard time figuring it out, but I finally did, with help. So it's moving a little bit closer to the intersection than the old one. No issues on that?

Craig Minor: There is a corrected draft motion on the table tonight because I had the names, I forgot to move Commissioner Serra up to a full member and Commissioner Camerota off. So there is a corrected list of Commissioners on the draft on the table.

Chairman Hall: All right, we'll do this at the end, we'll go back to the motion.

B. Discussion on proposed zoning and subdivision amendments to implement "Low Impact Development" (LID)

Craig Minor: I have the memo in the agenda package but I have nothing to add to that, but obviously if the Commissioners want to talk some more about the details of the zoning amendment and the subdivision amendment we can certainly discuss them before sending it to a hearing. Of course, it can be changed after the hearing, in fact, it's very possible that as a result of what we hear from the public the Commission may want to raise the threshold even higher so as to less impact homeowners.

Chairman Hall: Any discussion, any questions on this? Seeing none.....

Craig Minor: Okay, what's your pleasure, next available date to have a public hearing on it?

Chairman Hall: I think so.

Craig Minor: Okay.

C. Presentation by Economic Development Director Andy Brecher.

Chairman Hall: Welcome Mr. Brecher. Happy New Year. Good to see you.

Andy Brecher: Good to see all of you. While I set up the multi-media here, Cathy, would you care to introduce me and explain while I'm here tonight?

Chairman Hall: Certainly. Mr. Brecher is the town's Economic Development Director, I guess we'll call it, and one man band. I happened to hear his presentation to the Town Council last month, and I thought it would be something that would be of great interest to us as well, so he was kind enough to come tonight and tell us what he told the Town Council with maybe even a little extra. Who knows?

Andy Brecher: We shall see. Thank you. It's good to see you all again. The last time I was here I think we were upstairs and I was discussing a specific topic related to a specific client, and now it's good to be able to talk in more general terms about what is going on in town. The reason for my presentation to the Town Council really was a result of a lot of rhetoric during the election season when both parties had as their main focus economic development for the town, and recognizing that we are in a situation of stagnant grand list growth, or even worse, a little bit of declining grand list. It makes developing the properties that we have, redeveloping the properties that we have even more important to keep new value coming along. Yes, we're in the government business and the town management business and we need revenue to be able to continue to provide the full array of town services that we do provide. We also have an issue facing us with vibrancy. We consistently are made aware of the aging of our population and the reluctance of many of our young people to come back to Newington and live here. We hear things like, we're boring, and we don't have anything new, and you've heard all of it, so vibrancy actually kind of goes hand in hand with economic development because you want to have a community that is a place where people want to live, not only today but tomorrow and beyond. So with all that in mind, I thought I would brief the Council on the ten initiatives that will probably make the most difference or at least in the next few years are likely to make it before them for some sort of action, and I suspect that at least two thirds or seventy percent of them will end up here before anything can really actually happen. Now this is in addition to my on-going efforts, my everyday work to help businesses relocate here, steer them through the building department with Craig's assistance, and to try to keep them from going someplace else. Like David Letterman, I'm going to present this in a top ten fashion, so we are going to start with number ten and move downward. The ranking is relative, it's subjective, in truth market forces and progress on any particular project is really going to determine what is the most important thing and what happens first.

This first picture I'm sure you recognize if you ever had a chance to get up there before the State closed off the site, this is Cedarcrest Hospital. The State has initiated a disposition process, I'm of the opinion it's going to be quite some time before the State is actually at the point where they can sell this property. Environmental studies have not been done, in fact, they have recently stopped the process because they realize that they don't even have accurate surveys, so they are hiring a survey company to identify precisely what the boundaries are and how much property it is that they are actually selling.

Number nine, Twin City Plaza: this is an area that was kind of moribund for a long time. They have had some recent successes in leasing, to the point where there are only two three thousand square foot spaces and one five thousand square foot space that are unoccupied, and if I can use my low tech pointing device, the key for bringing this parcel back to life is right here. The owners are trying to get a national property, and you would think we have all the drug stores that Newington could possibly support, but low and behold, there could be room for more on that side of town, or another type of national account that would become the anchor for this plaza and they are thinking of expanding this out this way because they have what they consider to be surplus parking here, or even a pad site. Clearly before they could do that, they would have to come here to get permission. The key point about attracting that anchor tenant that would be the trigger for the owner of the property to then do

a one hundred percent renovation of the façade and the parking lot. So obviously we are rooting for them to be able to get this and I am helping them to contact some of these national developers, national accounts that might have some interest.

Number eight, the Hunter Development site; this is at the top of East Cedar at the Berlin Turnpike. This would be standing on the old Lowe Manufacturing property and looking westward. The developer has a new plan. The hotel is out, a medical facility, actually a couple of medical facilities are in, I've already directed to them a couple of physician practices that are interested in signing on. The last time I spoke to the developer, he said he was delayed until after the first of the year to get the signatures that he needed to actually move forward. Interestingly, he has a parallel development moving forward in New Britain which I suspect is with the same company, his anchor is going to be putting up a facility in both places. It's good news, it's good news after being stalled for quite some time, but a revised site plan is also going to be required here, so you will get detailed information about that hopefully in the next couple of months, because they are looking to break ground in the spring.

Number seven; this is the former Atlantic Tool, Textron Tech now Beacon Industries site. The challenge here is that there is somewhat more than 350,000 square feet of industrial space. The owner doesn't believe that they will ever be able to fill it up again, I'm now actively involved with Beacon Industries trying to get them to consolidate their Connecticut operations at this site. At the same time, they are evaluating moving out and consolidating some place else. So there is a little tug of war going on here. The owners of the property would like to develop the area closest to Cedar Street for commercial development, leaving some portion of the existing building for continued industrial tenancy and then developing the seventeen acres in the back that have never been developed. There is an environmental consent order that limits what can go there, so an industrial use is probably the most appropriate use of that back property, but again, this is another property that is in play, but before anything really different happens there, they are going to have to come before you. Item Number six: Who can guess what this is? What I should be showing you here is a terrific picture of Stanwell Road. All of you know where this is, this is off of Willard Avenue between Louis Street and Stonehedge Landscaping. It is a private road, GK and Aerospace's campus is at the end of this property, they are now taking over the Jerry Sporting Center property, at 42,000 square foot building, that they are leasing. They are interested in acquiring that property, and the surplus land associated with it for further expansion of their campus. We as a community are very interested in having GK stay here, they are in fifty some locations in the United States, they could be picked up by corporate decision and moved in a second, so we would like to do what we could to keep them here. Having a second access to their property is important, but it's also important for the continued redevelopment of this area and some of the unused property and under utilized property, to be able to bring this road up to town standards so that further development is possible. We have begun talking to the State to get some assistance to do that. I have tracked down the owner, in Texas, and she is not sure that she is the owner, but in reviewing all of the deeds for the property, there seems to be provisions in each one, stated differently that would indicate that the property is in fact still owned by this individual.

Number five: This is Alumni Road, and what is significant here is that as a result of some other discussions with DOT we have found that we have made an inroad to get them to reopen discussions about putting in a traffic signal at this intersection, an intersection that I believe is the most dangerous intersection in town. We should be thankful that we have not seen a fatality given who goes in and out of that road. The number one reason for getting that signal is safety. No question about it, but also, if we can solve that intersection's problem, it would allow ten acres in back that have never been developed, to be developed. The five star property would suddenly be more attractive, and we could get that god-awful gate removed. The reason why this is back in play is because of advances in technology. The DOT's ability to model streets, model intersections has improved a lot since the aborted

attempt to solve the problem some years ago that would have required closing off Maple Hill, Old Farm, creating another exit for the Old Farm neighborhood, now we think we can solve it by adding a couple of lanes, and better timing of traffic lights. The DOT has already invested all of the effort that they are going to put into this, doing it once, so it will fall on the town to hire a traffic engineer to try to prove the theories that we have, that we think will work and we have had some preliminary discussions with DOT, so we are cautiously optimistic here, about being able to afford it, because there is some question as to who is going to pay for it, but this is also important for industrial development in addition to the more important issue of safety.

Commissioner Aieta: Can I ask a question?

Andy Brecher: Yes sir.

Commissioner Aieta: About aligning Maple Hill with this intersection, you have a light, you have two lights with a hundred feet of each other, right?

Andy Brecher: Not quite a hundred, but the two lights would be close.

Commissioner Aieta: How does that work?

Andy Brecher: It works by the cycles that they permit and the addition of left hand turn lanes. So that they can get more people through more efficiently.....

Commissioner Aieta: From where, Maple Hill Avenue?

Andy Brecher: No, Cedar. So a left hand turn lane I believe onto Maple Hill from Cedar and a left hand turn lane from Cedar into Alumni. We believe in the discussions that we have had that the modeling actually shows putting a lining road, without left hand turn lanes, would be worse than using left hand turn lanes and better timing on the lights.

Chairman Hall: Actually three lights, because you have the one at Beacon.

Andy Brecher: Correct, which is more of a demand light I'm told. Now I'm out of my comfort area here, dealing with the civil engineers, but a lot of it actually comes down to the fact that they would just be more precise and they have more, better radar and abilities to detect what is going on and when you need to do something.

Commissioner Aieta: I'd be interested in seeing how that would work.

Andy Brecher: As we all will.

Number four; Berlin Turnpike, activity on the Berlin Turnpike will continue unabated. There is going to be more redevelopment of existing parcels I believe, particularly motel sites are going to come under the radar, or be within the radar of national chains who are always looking for places and it's a matter of striking deals. I think in particular you are going to be surprised by interest north of McDonald's, towards the Wethersfield line. This has been a frontier that has been difficult to get interest by national companies in, but I think that is about to change. One attractive idea that I received from a developer is trying to recruit a national hotel chain to put up a relatively large hotel and banquet conference center. Something that we know, all of us in our gut know would work here in Newington on the Berlin Turnpike and serve not only Newington but Wethersfield, Glastonbury, Berlin, and even West Hartford which has no banquet facilities. The challenge here is trying to make the data, Newington's economic data show off in the right way for the people who are in charge of site selection for these hotel chains.

Number three; Newington Junction; You have heard about this somewhat. We are still awaiting the results of the CCROG market study. We have a meeting tomorrow, where we are supposed to hear about some progress, but it's no secret. There's a hundred acres here that probably are ripe for redevelopment, but not without better access. The whole challenge is, how can this neighborhood be accessed by other than Francis Avenue and we're hoping that the consultants are going to be able to give us some idea of what that might be. Again, nothing happens here until it comes before TPZ although my hope is that as a result of this consultant's report, before applications are received TPZ will consider whether some overall, some overlay, or some changes in zoning might be appropriate so we can direct development as opposed to being at the mercy of speculators, and we already have some sense that there are people buying property in advance of the busway, and that is to the left, you see the concrete area, that is the busway path, and then the Amtrak is to the right of it.

Commissioner Sobieski: Excuse me Andy, but have you seen any plans yet for what the station is going to be for Amtrak in that area?

Andy Brecher: I have. They are fairly dated, the date has been pushed back from 2016 to, now they are saying 2017, some people are saying 2019, but the track is being brought up to the grade for a new station and if you have seen the plan, it is a new station every, I can't really remember the interval, say every five miles, or ten miles, but it's from New Haven right up to Enfield. It's just about the same thing, so if they didn't do it here, there would be this missing component of the overall plan, because remember, what they are selling is commuter rail.

Commissioner Sobieski: My question is, I thought I heard that at some point in time they want to put a third track through there as a pull over for the trains so the other two can still continue.

Andy Brecher: My understanding is that the two accomplishes that. By putting the second track back in service allows for the passing of trains. Again, it requires signalization, because in many cases, they were down to one.

Commissioner Sobieski: Yeah, there's twenty some odd miles of line that has been removed.

Andy Brecher: And this is something like five hundred million dollars or something, the track improvements are enormous. The cost to build the stations is in single digits for each station, and I think they are talking about four new ones so, from a DOT perspective, it's an after thought, and that's essentially how they are looking at it. The project is fully funded except for the stations at this point.

Item number two, you are all familiar with National Welding: We have our grant, the two million dollars to demolish and abate the property. It's still going to be many months before we see any money. This is such a convoluted process that it boggles your mind. After, let's see, the Governor was here in May, we are now pushing to get a letter, a proposal from the State this month or next month to then enter into the process of drawing up a contract. It's been eight months to just get the State to acknowledge that the Governor has said that Newington is going to get two million dollars and our Town Council has to approve the offer of assistance by DECD so then they can hire an outside attorney to draft a contract for review by the Attorney General so they can come back to us, and none of this includes the Bond Commission, the Comptroller, or anybody actually setting this up, but if you want to do it, you have to go through the process and so we are. But simultaneously pursuing sale and redevelopment of the property, including still trying to convince DOT to put up a parking garage which we think would pay infinite benefits to the value of the property and also for the use of the CTfastrak, whether you believe in it or not, if you don't provide any parking, I can

guarantee that nobody is going to get on. The question of how the National Welding site is developed is not limited to just the National Welding site. That's four acres, but the four acres adjacent to Hayes-Kaufman property is also in play. The Hayes-Kaufman property I think is zoned Planned Development, but the National Welding property is Industrial, so again, we have not heard from any industrial concerns and this is a property that is going from one that had no value and no economic activity to one that we think is going to result in a development worth some tens of millions of dollars. It's going to have to come before you before that sort of development could occur on this site.

Number One is the Town Center: This is a photograph taken behind Keeney Manufacturing, looking east at the Hartford Hospital property. Priority one for the town center was bringing Northwood Plaza back to life, and the Best Market seems to be doing okay. They're not doing great, because they opened up at the wrong time of year for a place that specializes in fresh produce, but they are certainly building a market, and their sales are improving and they are pretty happy with the way things are going. They have hired Reno Properties to market the rest of the Plaza and they are starting to look at what the additional renovations are going to be to make that plaza the type of property that they and we want it to be. So, now our attention has turned to, what can we do with the rest of the town center? You are looking at here an area, I had a better wide angle, exceeding seventy acres. To put that in perspective, if you think of that big, fantastic Blue Back Square development in West Hartford, that's only twelve acres. That had over forty property owners, who had to sell their properties before a large master plan project could go forward. We have six. I have spoken to them all, and in fact, there is a great deal of interest in being able to be part of something big and fun and fascinating, I like to call it transformation. We could actually, because of the size of this town center do something transformational. I'm not sure exactly what, mixed use certainly, but also the ability to have green space which something like Blue Back couldn't have. It's just basically a concrete jungle because it was so small. You look at, the City of Hartford is talking about the area behind the state office building, four acres, or six acres maybe, and they are just all excited about the potential that they could, for a new kind of neighborhood mixed use development. Six acres, we have seventy acres. So I'm going to be returning to the Town Council probably within the next sixty days, requesting some funding for a master planning effort to identify some facts about the area to understand better what there is there. It's got I think five different zones for all of the different properties, and to identify what could work. What from a reality perspective developers are interested in putting their money into and also simultaneous with that, providing for the process of community input. To create a steering committee or something so that this master planning effort from its infancy is done with continuous community input. See where we can go, but I know this, if we don't start we'll never get anywhere. So that is what I'm going to be advocating, hopefully the Town Council will agree. Clearly it's an ambitious list. Not everything is going to get done, and some things that aren't even on the list are going to come along and all of a sudden become the hot item. I can tell you there are two definites; the list will constantly change and what we set out to do will end up different than what we had thought we were going to have, but all along the way I think there is going to be lots of times when I am going to be coming before you, other people are going to be coming before you, to talk about how all of these ideas actually turn into some kind of reality. Any other questions?

Chairman Hall: Anybody have any questions for Andy? I really appreciate you taking the time, and as I'm sitting here looking at it all I can think of is for the better part of the last ten years we've been hearing, Newington's done, no building, there's no room, we're ninety-two percent built out, and whatever, and here you have presented ten possibilities for the future, and it's reuse as well as, of course this would be new, because it's undeveloped land, partially, but it's really very exciting for a town this small, because we really are in square footage, we are very small and yes we are densely developed, yet there are many opportunities, so it really is very exciting.

Andy Brecher: And redevelopment is harder.

Chairman Hall: It's much harder than new, no question about it.

Andy Brecher: If you talk to Windsor, they've got thousands of acres that they can develop, and there are challenges, but there is no question, redevelopment is harder, but it is what it is, and I think that is how we are going to achieve progress and improve the tax base and also get that vibrancy that we are looking for, for the next couple of generations. Thank you for your time and attention.

Chairman Hall: Thank you very much.

D. Bond Reduction for 1268-1300 Main Street (Liberty Bank)

Deleted

E. Bond Reduction for 3573 Berlin Turnpike (Gateway Plaza)

Craig Minor: We got a request from the developer for another bond reduction so I asked the staff to go out to inspect it, and they came back and they informed me that there is still some \$22,000 worth of work remaining. Currently we have \$74,000.00 in bond money, originally I think we had roughly \$300,000.00, roughly, so they have completed quite a bit of work. There is still some \$22,000.00 remaining to be done, so I recommend that you approve their request, and there is a draft motion in your agenda package.

Chairman Hall: And I just want, especially the new people to understand where we're talking about with this Gateway Plaza. It is the Berlin Turnpike, southern end, DiBella's, Chipotle, Starbucks, is down there, Bassett, I believe.....

Commissioner Sobieski: American Eagle is going in.

Chairman Hall: Well, we keep seeing the signs. Coming soon. So that is what we are talking about as far as the Gateway. Any questions on that? So, let's take care of these now before we go to Old Business.

Petition 01-14

**Sec 8-24 Referral for Proposed DOT Easement on East Cedar Street
Newington Town Council, owner/applicant**

Commissioner Aieta moved to make a favorable recommendation to the Newington Town Council on its Resolution No. 2013-102 regarding the granting of an easement to the State of Connecticut for traffic signalization improvement on East Cedar Street.

FINDINGS:

1. This proposal is consistent with the Plan of Conservation and Development.

CONDITIONS:

None

The motion was seconded by Commissioner Leggo. The vote was unanimously in favor of the motion, with six voting YES.

Gateway Plaza Performance Bond Reduction #2

Commissioner Leggo moved to reduce the Performance Bond for Gateway Plaza from \$74,000 to \$22,000.

FINDINGS:

1. The Town Staff inspected the site on December 23, 2013 and found the value of unfinished work to be \$22,000.

The motion was seconded by Commissioner Camillo.

Commissioner Aieta: Quick question, this \$22,000, what is it, mostly landscaping?

Craig Minor: I can tell you exactly what it is. If you go to the agenda package, this list of items, the bulk of it is ground cover/perennials, so mostly ground cover and perennials.

Commissioner Aieta: And that would be done when, in the spring?

Craig Minor: \$7250 for perennials, not quite as much as shrubs, and then trees at \$5500, so all of it, except for \$100 to keep them on the hook to give us a digital site plan, and \$1,000 to keep them on the hook to give us an as built when it is done, other than that, everything is landscaping.

Commissioner Aieta: That would be done in the spring then?

Craig Minor: Presumably.

The vote was unanimously in favor of the motion, with six voting YES.

VIII. OLD BUSINESS

None

IX. PETITIONS FOR PUBLIC HEARING SCHEDULING

None

X. TOWN PLANNER REPORTS

- A. Town Planner Report for January 8, 2014

Craig Minor: My report is in your agenda package, the first item, the Caputo sign on Fenn Road, I did go out and look at it, and yes, I see the two uprights.....

Chairman Hall: Well, they moved it again. Today it is out by the road. On a pole.

Craig Minor: I was out there today, so I was out there this afternoon, so if I had gone out there yesterday, I would have seen it somewhere else?

Chairman Hall: No, actually, it was around noon today back out near the road.

Craig Minor: Where was it before that?

Chairman Hall: Well, it was missing for a while, but it was on the right hand side of the driveway as you went down, and that's where those uprights are.

Commissioner Sobieski: Maybe we should nail it down to the ground so that it stops moving.

Chairman Hall: It's crazy! Maybe they are trying to see what they like, so that when their employees come they see, oh, this is where I go to work.

Craig Minor: Old Performance Bonds, I have the updated report in your package, nothing dramatic since my last report on that.

Item three, Newington Junction TOD planning: the committee as Mr. Brecher said is meeting tomorrow to go over the findings of the consultant that CCROG obtained for us, we'll be going over their results and we will be talking about where to go from there. Let me mention that in the budget for next fiscal year that I submitted, I requested \$24,000.00 to hire a consultant to help us do some master planning for the, for Newington Junction and Fenn Road, but I think the lions share of it would go to Newington Junction. I don't, my guess is we don't need to do a lot of master planning for the Fenn Road station, but that would be for the Commission to determine. Since DOT expects to begin operation in early 2015, that is next fiscal year. So, it's time to start planning to plan as I said in the memo, so just letting you know that is in the budget and I will be discussing it with the Manager next week, but I'm optimistic that there won't be any objection to doing that.

Revision to Sign Regulations: we're trying to put together a meeting for next week. I believe it will happen.

Status of Modern Tire: as I said in my report, the judge rejected Modern Tire's appeal of the site plan approval per se, because the judge determined that they did not have the standing to appeal that, but the appeal of our regulations themselves was, is still pending and we are still waiting to hear from the judge but as of a week or so ago, Attorney Bradley said that he expects any day now, so, any day now, and we hope it will be a favorable decision. So that's it for my report.

B. Zoning for Electric Vehicle Charging Stations

Craig Minor: I do want to talk to you about electric vehicle charging stations which I was asked to do some research into. I've either got direct response from my colleagues, or went to the web site for some twelve, oh wait, about two dozen towns in Connecticut, and none of them specifically state in their zoning regulations any requirement to electrical vehicle charging stations. Every planner I talked to said yes, they do want a developer to show it on a site plan, but there are no requirements per se. Now I remember when I started doing this research a month or two ago, coming across some regulations that would require at least one level two charging station, which refers to how powerful it is, which then speaks to how quickly it can recharge, for any new construction for over ten thousand, and at least one charging station for any multi-family of more than a certain number of units, but then when I went back to look for that the other day, I couldn't find it.

Commissioner Aieta: Who do you think put that out?

Craig Minor: I thought it was the State regulation. Now I know that the building inspectors of the State of Connecticut have been given new regulations regarding the size of the parking space for a vehicle recharging station, and the specs for the recharging structure itself has to be so high, has to be handicapped accessible; if it's intended to be handicapped accessible, there are actual regulations regarding the handicapped accessibility of charging stations, but nothing as far as requiring them anywhere. So I'm going to keep doing some research, but I have a hunch that what I am going to end up ultimately recommending to you is simply

amend the zoning regulations specifically to say if a developer wants to install an electrical vehicle recharging structure to show it on the site plan, just so we know where they are.

Commissioner Aieta: Without any criteria?

Craig Minor: Well the State, again, I'm certain that I saw State criteria, I didn't imagine it, I saw it, but now I can't find it. So, yes, probably without criteria. And by that I mean allow the electrical inspectors to do their job and not we try to reinvent their expertise.

Commissioner Sobieski: Craig, are there two different types of charging stations? One for the regular cars and one for the handicapped? Is that what I understood you to say?

Craig Minor: Yes, there's actually even more than that though?

Commissioner Sobieski: Oh there are?

Craig Minor: Yes, now that you put it that way, if this station is designed for a handicapped vehicle, then the device itself has to meet certain guidelines, which I was reading, but if the parking space is not intended for handicapped person, then it simply needs to meet certain criteria, but there is also a difference between a car recharging and a bus, not a bus but a van recharging station, and, as I said before, the voltage, there is actually three different levels, one, two and three which again speak to how much electricity passes through, and I'm way out of my comfort level here, but the higher the voltage, the faster the recharge will take place. It's also slightly more dangerous because there is more voltage going through, so.....

Commissioner Sobieski: It could be a 220 versus a 120.

Commissioner Aieta: Can you make me understand that there are some requirements that if you had a building or something with so much square footage you would have to have one.

Craig Minor: Yes.

Commissioner Aieta: I don't know if we want to force people to put them in.

Craig Minor: Well, that would be at the State level. What I saw was a State regulation....

Commissioner Aieta: Well, I don't think we want to start putting that in the regulations, that they have to have it.

Craig Minor: Oh no, you wouldn't need to, just like you don't have your own handicapped parking requirements, the State has them and we just make sure that a site plan reflects them, it would be the same.

Commissioner Anest: If the State tells them that they have to have them, then they have to have them.

Craig Minor: Right, and then we would make sure that it happens, but it's not our rule.

Commissioner Anest: Could we have something where we could refer it back to the State regulations, at least we could have something that would allow it, because the way it is now, it's not allowed.

Craig Minor: Well, I don't know that it's not allowed. We started to have this discussion the other day.....

Commissioner Aieta: It would be good to have it in there, at least a section under fueling stations or, that mentions it, then at least we would have a platform for them to come in for it.

Craig Minor: Well, before I make any recommendation to you I need to find out exactly what the State regulations are, because I'm inclined to agree with you, if there were no State regs, then I would be uncomfortable simply telling developers, you must show it on the site plan, and not give them any specs, but on the other hand, if there are State regulations, then I think we should piggy-back them and not try to reinvent that.

Commissioner Aieta: I don't want to recreate the wheel here, I just want to make sure it is covered under our regulations.

Craig Minor: And that it be shown on the site plan.

Commissioner Aieta: Yes.

Craig Minor: So I will keep doing research on that, and then come back to you.

XI. COMMUNICATIONS

A. Letter from DECD re: TOD "Knowledge Sharing Forum" on January 21, 2014.

Craig Minor: There is a letter in your packet from the Commissioner of Economic Development inviting everybody to a Knowledge Sharing Forum in Hartford on January 21st. It's during the day, it's from 9:00 to 11:30, at the Lyceum, which some of you might be familiar with. There have been some other workshops in the past at the Lyceum that some of you might have attended. It looks, I'll be there of course, and it looks interesting. So no action is needed on that, it's just for your information.

Chairman Hall: If someone want to go, should we let you know, or RSVP to Laura directly?

Craig Minor: Yes, if you would. Let me know that you plan on going, if you would.

XII. PUBLIC PARTICIPATION (for items not listed on the Agenda, speakers limited to 2 minutes.)

None

XIII. REMARKS BY COMMISSIONERS

Craig Minor: Before you close, I did talk to the Zoning Enforcement Officer about his report, so I can give you an update on some of these items. We have the Zoning Officer's report, 2431 Berlin Turnpike, Action Auto Sounds, they have some wind waver flags, the Berlin Turnpike side and the Kitts Lane side, Art is disappointed that he is not getting more cooperation from DOT which he usually gets regarding the sign on the DOT side, but he told me that he is just going to remove the wind waver sign that is on the side street, which is a town street, immediately, as soon as he verifies that the sign is within the right of way, and not on private property. He just wants to confirm that he knows exactly where it is, but he does intent to remove it, if the owner doesn't voluntarily.

The next item that I spoke to him about today is on the next page, 2499 Berlin Turnpike, the Hess Oil. The temporary sign there has been moving back and forth, a bit of a shell game, so I told Art that I would appreciate it if I could report to the Commission that he will give them 48 hours and if they don't have it removed within 48 hours, he will impose fines, which is always his last resort, which is good, but I think this one really, dates back to November 15th, now on December 31st, they moved it to a different place on site, but it's still the same violation in my opinion, and it's been going on since November 15th, I think that is plenty of time and that at this point it warrants imposing fines if the owner refuses to get rid of that sign. The next one is on page 4 and 5, unregistered vehicles. It turns out it's taking so long because the property is in probate, and there is literally a dispute over who gets the car, there is an ex-wife involved and delicate negotiations going on, so that's why it's taking so long to resolve, and then last but not least, on the last page, 269 West Hill Road, the car is gone. He told me today, or truck or whatever, it has been removed.

Chairman Hall: Thank you.

XIV. CLOSING REMARKS BY THE CHAIRMAN

Chairman Hall: I don't really have anything to say except good meeting tonight, and I'll look forward to having another one in January.

XV. ADJOURN

Commissioner Sobieski moved to adjourn the meeting. The motion was seconded by Commissioner Camillo. The meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Norine Addis,
Recording Secretary